

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5273

IN THE MATTER OF:

Served February 17, 1998

Application of PHOENIX LIMOUSINE &)
TOUR COMPANY for a Certificate of)
Authority -- Irregular Route)
Operations)

Case No. AP-98-10

By application accepted for filing February 11, 1998, Phoenix Limousine & Tour Company, a District of Columbia corporation, seeks a certificate of authority for irregular route operations in vehicles with a seating capacity of less than 16 persons only, including the driver.

Applicant held WMATC Certificate of Authority No. 344 until January 23, 1997, when it was revoked for applicant's willful failure to comply with the insurance provisions of the Compact and regulations thereunder.¹

Applicant proposes commencing operations with one van. Applicant's proposed tariff contains rates for transportation under the DC Medicaid program.

Exhibit F to the application states that applicant's net total loss for 1997 was \$29,498, even though applicant's net operating loss for 1997 was only \$19,998. Exhibit E to the application states that as of December 31, 1997, applicant had earned surplus of \$1, which should include the net total loss for 1997. Applicant will be directed to file a statement explaining the derivation of the net total loss for 1997 and earned surplus as of December 31, 1997. In lieu thereof, applicant will be permitted to file amended Exhibits E and F revising those entries to the extent they are in error.

A note to Exhibit F explains that applicant received income under the DC Medicaid program in 1997. Applicant will be directed to file a statement indicating the number of days applicant transported passengers for hire between points in the Metropolitan District after January 23, 1997.

This proceeding is hereby initiated to determine whether applicant is fit and whether the proposed transportation is consistent with the public interest.

¹ In re Phoenix Limo. & Tour Co., No. MP-96-61, Order No. 5010 (Jan. 23, 1997).

THEREFORE, IT IS ORDERED:

1. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, no later than February 27, 1998, notice in the form prescribed by the staff of the Commission.

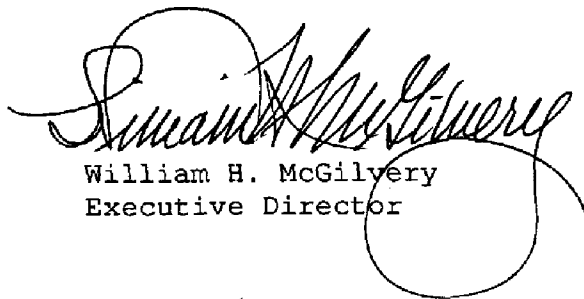
2. That applicant shall file with the Commission, no later than March 20, 1998, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.

3. That applicant shall file with the Commission, no later than February 27, 1998, an original and four copies of a statement explaining the derivation of applicant's net total loss for 1997, and the derivation of applicant's earned surplus as of December 31, 1997. In lieu thereof, applicant may file amended Exhibits E and F revising those entries to the extent they are in error.

4. That applicant shall file with the Commission, no later than February 27, 1998, an original and four copies of a statement indicating the number of days applicant transported passengers for hire between points in the Metropolitan District after January 23, 1997.

5. That the deadline for filing protests, comments, applications for intervention, and requests for formal hearing, is March 20, 1998, and that copies must be served on applicant's president, Mr. Felix E. Roberts, 930 M Street, N.W., Suite No. 518, Washington, DC 20001.

FOR THE COMMISSION:



William H. McGilvery
Executive Director